

**TEMPORARY HIGHWAY EASEMENT GRANT**  
(FOR CONSTRUCTION OF A DRIVEWAY)

Form T-1  
Revised 12/2021

Project:	<u>1401280</u>
Code:	<u>N/A</u>
Parcel:	<u>37A</u>
Page:	<u>1 of 4</u>

**THIS INDENTURE WITNESSETH**, That Cree Brothers LLC, an Indiana limited liability company, the Grantor(s) of Tippecanoe County, State of Indiana Grant(s) to The Board of Commissioners of Tippecanoe County in the State of Indiana, the Grantee, for and in consideration of the sum of One hundred sixty and 00/100 Dollars (\$160.00) (of which said sum \$0.00 represents land improvements acquired and \$160.00 represents land temporarily encumbered and damages) and other valuable consideration, the receipt of which is hereby acknowledged, a temporary easement to enter upon and have possession of the Real Estate of the Grantor(s) for the purpose of constructing thereupon a driveway servicing to the Grantor(s) property to and from the highway facility known as Morehouse Road and as Project 1401280, which said Real Estate situated in the County of Tippecanoe, State of Indiana, and which is more particularly described in the legal description(s) attached hereto as Exhibit "A" which is incorporated herein by reference, which said temporary easement shall be extinguished, become void and revert to the Grantor(s) and/or the Grantor(s) successor(s) in title upon completion of the said Project. Said extinguishment shall be evidenced by a release document, which shall be executed and recorded by the Grantee, at no cost to the Grantor(s).

Interests in land acquired by The Board of  
Commissioners of Tippecanoe County, IN  
Grantee mailing address:  
20 N. 3<sup>rd</sup> Street  
1<sup>st</sup> Floor  
Lafayette, IN 47901

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The undersigned represent and warrant that they are the Members of the Grantor; that the Grantor is a limited liability company validly existing in the State of its origin and, where required, in the State where the subject real estate is situated; that the Grantor has full company capacity to convey the real estate interest described; that pursuant to a resolution of the Members of the Grantor or the Operating Agreement of the Grantor they have full authority to execute and deliver this instrument on its behalf and that said authority has not been revoked; that they are therefore, fully authorized and empowered to convey to The Board of Commissioners of Tippecanoe County in the State of Indiana real estate of the Grantor, and that on the date of execution of said conveyance instruments they had full authority to so act; and that all necessary company action for the making of this conveyance has been duly taken.

Any and all timber, shrubbery, fences, buildings and any other improvements situated within the area of the temporary easement granted herein shall become the property of The Board of Commissioners of Tippecanoe County in the State of Indiana except: *NONE*

The said Grantor(s) acknowledge(s) that all provisions of this grant of temporary easement are as stated and set forth herein and that no verbal agreements or promises exist with respect thereto.

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the said Grantor(s), for the purpose of inducing The Board of Commissioners of Tippecanoe County in the State of Indiana to accept this grant and to pay the hereinbefore referenced consideration, represent(s) that the Grantor(s) are the owner(s) in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens (except current real estate taxes and assessments) of any kind or character which would be inconsistent with the temporary rights granted herein.

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Code: N/A  
Parcel: 37A  
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IN WITNESS WHEREOF, the said Grantor(s) has executed this instrument this 16 day of JUNE, 2022.

Cree Brothers LLC, an Indiana limited liability company

By Merrell L. Cree (Seal) \_\_\_\_\_ (Seal)  
Signature Signature

Merrell L. Cree, Member  
Printed Name Printed Name

\_\_\_\_\_  
Signature (Seal) Signature (Seal)

\_\_\_\_\_  
Printed Name Printed Name

STATE OF INDIANA:

SS:

COUNTY OF TIPPECANOE:

Before me, a Notary Public in and for said State and County, personally appeared Merrell L. Cree, Member of Cree Brothers LLC, an Indiana limited liability company, the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be his voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 16 day of JUNE, 2022.

Signature Clifton Dickerson

Printed Name \_\_\_\_\_

My Commission expires \_\_\_\_\_

I am a resident of \_\_\_\_\_ County.



CLIFTON DICKERSON, Notary Public  
Allen County, State of Indiana  
My Commission Expires August 27, 2023  
Commission No. 671065

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Code: N/A  
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IN WITNESS WHEREOF, the said Grantor(s) has executed this instrument this 16 day of JUNE, 2022.

Cree Brothers LLC, an Indiana limited liability company

By Ward L. Cree (Seal) \_\_\_\_\_ (Seal)  
Signature Signature

Ward L. Cree, Member  
Printed Name Printed Name

\_\_\_\_\_  
Signature (Seal) Signature (Seal)

Printed Name Printed Name

STATE OF INDIANA:

SS:

COUNTY OF TIPPECANOE:

Before me, a Notary Public in and for said State and County, personally appeared Ward L. Cree, Member of Cree Brothers LLC, an Indiana limited liability company, the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be his voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 16 day of JUNE, 2022.

Signature [Signature]

Printed Name \_\_\_\_\_

My Commission expires \_\_\_\_\_

I am a resident of \_\_\_\_\_ County.



CLIFTON DICKERSON, Notary Public  
Allen County, State of Indiana  
My Commission Expires August 27, 2023  
Commission No. 671065

This instrument prepared by: Douglas J. Masson #19474-53, Attorney, Hoffman, Luhman, & Masson Attorneys at Law, 200 Ferry Street, Ste. C, Lafayette, IN 47901

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless otherwise required by law. Douglas J. Masson

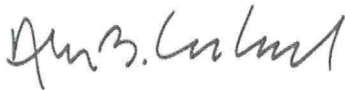
**EXHIBIT "A"**

Project: 1401280  
Parcel 37A Temporary Right of Way For Drive Construction  
Form T-1

Sheet 1 of 1

A part of the Southwest Quarter of Section 36, Township 24 North, Range 5 West, Tippecanoe County, Indiana, described as follows: Commencing at the southwest corner of the East Half of said Southwest Quarter; thence North 00 degrees 17 minutes 33 seconds West 999.85 feet (1,000.00 feet deed) along the west line of said East Half to the south line of the grantor's land; thence North 89 degrees 43 minutes 29 seconds East 35.28 feet along said south line; thence North 00 degrees 10 minutes 13 seconds East 11.93 feet to the Point of Beginning of this description; thence continuing North 00 degrees 10 minutes 13 seconds East 61.00 feet; thence South 89 degrees 50 minutes 39 seconds East 9.03 feet; thence South 00 degrees 10 minutes 13 seconds West 61.00 feet; thence North 89 degrees 50 minutes 39 seconds West 9.03 feet to the Point of Beginning, and containing 0.013 acres, more or less.

This description was prepared for the Board of Commissioners of Tippecanoe County by DLZ Indiana, LLC and certified by Alan Brent Cleveland, Indiana Registered Professional Surveyor, License No. LS80880007, on the 25<sup>th</sup> Day of June, 2020.



Alan Brent Cleveland, P.S.  
Indiana Registered Professional Surveyor No. LS80880007



The attached **Temporary Highway Easement Grant – Parcel 37A (Morehouse Rd. Project)** is approved and accepted on behalf of the Board of Commissioners of the County of Tippecanoe in the State of Indiana, on this   5   day of   July  , 2022.

\_\_\_\_\_  
Davis S. Byers, President

\_\_\_\_\_  
Tracy A. Brown, Vice President

\_\_\_\_\_  
Thomas P. Murtaugh, Member

Constituting the Board of Commissioners of the County of Tippecanoe, in the State of Indiana.

Attest: \_\_\_\_\_  
Robert A. Plantenga, Auditor